

7 July 2006

MEMORANDUM FOR THE RECORD

Subj: CONTRACTOR SECURITY CLEARANCES

Ref: (a) DoD 5220.22-R (DoD Industrial Security Regulation
(b) DoD 5220.22-M (DoD National Industrial Security
Program

1. Commanding Officers have the responsibility to protect their assets, to include access to their facility and information, and as such, can deny access to anyone deemed untrustworthy. This includes cleared contractor personnel. However, when contractor personnel are denied access to the facility or to classified information based on adverse information, the contractor's Facility Security Officer and the local Defense Security Service office will be notified of the action taken and the reasons for taking such actions. Paragraphs 2-316 and 2-319.1 of reference (a), and paragraph 1-302.a of reference (b) apply.

2. CNO ltr Ser 09N2/2U532541 of 30 Oct 02 addressed the validity of security clearances in relationship to the date and type of investigation. Some commands have cited that letter to deny contractors access to their facility. Although, that letter was not intended to apply to contractor personnel, the same principle applies to contractor personnel, if they require access to classified information to perform the work required by contract or the contract stipulates a requirement for a valid investigation. The authority to grant, deny, downgrade, or terminate contractor security clearances is vested only with the Defense Investigative Service Clearance Office (DISCO). References (a) and (b) apply.